



Cape Cod Human Resources Association

HR NEWS

Cape Cod Human Resources Association P.O. Box 665, Hyannis, MA 02601

June 2010

www.cchraonline.com

Employment Law Update

We received an abundance of information and resources from our thorough and knowledgeable speakers; Thomas W. Colomb, Esq. and Brian P. Fox, Esq. of Murphy, Hesse, Toomey & Lehane, LLP.

Mr. Colomb provided us with an overview of developments in employment law between 2009 and 2010 by discussing significant court decisions in the areas of age discrimination, gender discrimination, sexual harassment, equal pay, race discrimination, national origin, disabilities discrimination, retaliation, FMLA eligibility and notice, vacation pay, employee handbooks, labor law, invasion of privacy, defamation, and arbitration. He also discussed the expansion of FMLA coverage for military families, harassment prevention orders (M.G.L. c. 258E) and proposed regulations for ADAAA (ADA Amendment Act). Given this list of topics you can see why it would be difficult to summarize each. However information can be found on their website www.mhtl.com.

Some key things to focus on are standard of proof and shifting of burdens. A plaintiff must prove his/her claim and show a decision was motivated by discrimination. If he/she does then the burden shifts back to the employer to show they took "reasonable action" and what their motives were for the action.

The first lesson is that Human Resources must be vigilant. Don't make assumptions, don't disregard comments and issues, and be careful what you say. Failure to do so can lead to large dollar awards for punitive damages.

The second lesson is Human Resources must be consistent. We never want to be accused of disparate impact.

Third lesson is open, interactive and concise communication. Seek to understand before being understood. Don't open the door to

pretext by not being clear and specific. Also included is written communication such as policies, procedures and the employee handbook.

Fourth lesson, when in doubt call your legal counsel!

Mr. Fox conducted the second half of the presentation.

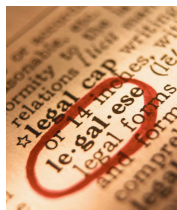
He began with employee privacy. This included employee applications and interviews. Specifically he discussed a bill (M.G.L. c. 151B, s. 4(9)) that prohibits questions regarding criminal records on applications, reducing information on CORI and sets shorter time limitations on reporting.

Our expert reviewed The Federal Healthcare Reform time line for employers: what is in effect now; what will be in effect after September 23, 2010; and what will be in effect in 2011 up to 2018. Current requirements are providing an area and unpaid break time for nursing mothers, small business tax credits and the Early Retiree Reinsurance Program.

Mr. Fox also touched on the Lilly Ledbetter Fair Pay Act.

Mr. Colomb and Mr. Fox distributed a substantial notebook of slides, case law, client advisories, articles and legal updates. More information can be obtained at www.mhtl.com. They also provide Labor, Employment & Benefit Training programs in Quincy, Boston and Springfield.

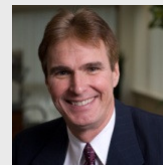
We are very grateful for the annual workshops Murphy, Hesse, Toomey & Lehane LLP provide to CCHRA.



Breakfast Meeting September 24, 2010

Employee Engagement

Guest Speaker: Bob Kelleher
Founder and CEO of The Employee
Engagement Group



Holiday Inn, Hyannis, MA

7:30a.m. - Breakfast Buffet
7:45-8:15 a.m. - Business Meeting
and NEHRA announcement
8:15-10:00 a.m. - Workshop

Discover how to tap into your ability to engage and transform your organization. As companies begin to recover from our recession, it is critical that today's leaders understand their role in re-engaging their employees to drive high performance. Employee Engagement is not a program; it's how you run your organization; it's a culture.

Attendees will take away practical tools and proven best practices to help their business increase engagement levels - vital to achieving superior results.

Bob Kelleher is a noted speaker, thought leader, and consultant on the subjects of Employee Engagement, Workforce Trends, and Leadership, and often travels the globe giving presentations to and consulting with leadership teams.

Breaking News

2010-2011 CCHRA Officers

President
Carolyn Ninivaggi

Vice President
Susan Partridge

Secretary
Stacia Plumb

Treasurer
Vikki Morris

Newsmakers



CCHRA is now advertising in Cape and Plymouth Business Magazine. CCHRA will be submitting articles to the magazine. Let us know if you are interested in contributing. Contact Abby Adams at aadams@theexecutivesuite.com

Membership

Have you renewed your CCHRA membership? It's easy to do. Complete the registration form on www.cchraonline.com under the Members Area tab. You can pay using PayPal, a safe and easy way to join CCHRA. Annual membership is \$60.00 but the best deal is the annual membership with 9 breakfast meetings for \$165.00. For more information contact Stacia Plumb at splumb@capecodonline.com

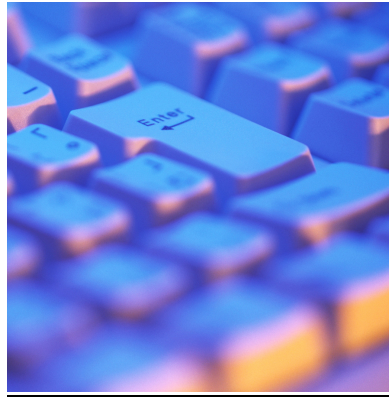
Network with other members from Cape Cod organizations.

New England Human Resources Association

Join us at the September 24, 2010 meeting to learn about a new CCHRA member benefit. We will announce our association with NEHRA.

Job Board

CCHRA's Website has a new Job Board. Post or research new jobs in member companies. To post a job contact Mary Tripp our website coordinator at mtripp@capecodfive.com



Member News

Send your announcements, articles and news to Michele Rocray at Michele@pleasantbayassoc.com

Up-Coming Events

Cape Cod Chamber of Commerce
www.ecapechamber.com

7/14	July Member to Member Event. 5:30-7:00 at the Borsari Gallery in Dennis
7/27	Demystifying Social Media and Leveraging its Power For Your Business. 8:30-10:30 Salem MA

New England Human Resources Association NEHRA
www.nehra.org

7/19	Webinar: Health Care Reform
9/28	HR Basics Program. Waltham MA

American Society for Training & Development ASTD
www.astd.org

7/21-22	ASTD Sales Training Drivers Online Conference
2/2-4 2011	ASTD TechKnowledge Conference and Exp. San Jose CA
	ASTD Celebrity Series

HR Leadership Forum, NE
www.hrlf.org

9/20	Innovations in Talent Management – Insights from Cisco. Annmarie Neil
10/17	Positive Psychology for Difficult Times. Tal Ben-Shahar
12/8	Leaders Make the Future – Skills for an Uncertain World. Bob Johansen.